

# House File 620 - Enrolled

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HOUSE FILE 620

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1 3 AN ACT  
1 4 RELATING TO THE VOLUNTEER HEALTH CARE PROVIDER PROGRAM AND  
1 5 PROVIDING AN EFFECTIVE DATE.  
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1 7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
1 8  
1 9 Section 1. Section 135.24, subsection 1, Code 2005, is  
1 10 amended to read as follows:  
1 11 1. The director shall establish within the department a  
1 12 program to provide to eligible hospitals, clinics, free  
1 13 clinics, or other health care facilities, health care referral  
1 14 programs, or charitable organizations, free medical, dental,  
1 15 ~~and chiropractic, pharmaceutical, nursing, optometric,~~  
1 16 ~~psychological, social work, behavioral science, podiatric,~~  
1 17 ~~physical therapy, occupational therapy, respiratory therapy,~~  
1 18 ~~and emergency medical care~~ services given on a voluntary basis  
1 19 by health care providers. A participating health care  
1 20 provider shall register with the department and obtain from  
1 21 the department a list of eligible, participating hospitals,  
1 22 clinics, free clinics, or other health care facilities, health  
1 23 care referral programs, or charitable organizations.  
1 24 Sec. 2. Section 135.24, subsection 2, paragraphs a, c, and  
1 25 d, Code 2005, are amended to read as follows:  
1 26 a. Procedures for registration of health care providers  
1 27 deemed qualified by the board of medical examiners, the board  
1 28 of physician assistant examiners, the board of dental  
1 29 examiners, the board of nursing, the board of chiropractic  
1 30 examiners, the board of psychology examiners, the board of  
1 31 social work examiners, the board of behavioral science  
1 32 examiners, ~~and the board of pharmacy examiners, the board of~~  
1 33 ~~optometry examiners, the board of podiatry examiners, the~~  
1 34 ~~board of physical and occupational therapy examiners, the~~  
1 35 ~~state board for respiratory care, and the Iowa department of~~  
2 1 ~~public health, as applicable.~~  
2 2 c. Criteria for and identification of hospitals, clinics,  
2 3 free clinics, or other health care facilities, health care  
2 4 referral programs, or charitable organizations, eligible to  
2 5 participate in the provision of free medical, dental, ~~or~~  
2 6 ~~chiropractic, pharmaceutical, nursing, optometric,~~  
2 7 ~~psychological, social work, behavioral science, podiatric,~~  
2 8 ~~physical therapy, occupational therapy, respiratory therapy,~~  
2 9 ~~or emergency medical care~~ services through the volunteer  
2 10 health care provider program. A free clinic, a health care  
2 11 facility, a health care referral program, a charitable  
2 12 organization, or a health care provider participating in the  
2 13 program shall not bill or charge a patient for any health care  
2 14 provider service provided under the volunteer health care  
2 15 provider program.  
2 16 d. Identification of the services to be provided under the  
2 17 program. The services provided may include, but shall not be  
2 18 limited to, obstetrical and gynecological medical services,  
2 19 psychiatric services provided by a physician licensed under  
2 20 chapter 148, 150, or 150A, ~~dental services provided under~~  
2 21 ~~chapter 153, or other services provided under chapter 147A,~~  
2 22 ~~148A, 148B, 148C, 149, 151, 152, 152B, 152E, 154, 154B, 154C,~~  
2 23 ~~154D, or 155A.~~  
2 24 Sec. 3. Section 135.24, subsection 3, paragraph b, Code  
2 25 2005, is amended to read as follows:  
2 26 b. Provided medical, dental, ~~or~~ chiropractic,  
2 27 ~~pharmaceutical, nursing, optometric, psychological, social~~  
2 28 ~~work, behavioral science, podiatric, physical therapy,~~  
2 29 ~~occupational therapy, respiratory therapy, or emergency~~  
2 30 ~~medical care~~ services through a hospital, clinic, free clinic,  
2 31 or other health care facility, health care referral program,  
2 32 or charitable organization listed as eligible and  
2 33 participating by the department pursuant to subsection 1.  
2 34 Sec. 4. Section 135.24, subsection 4, Code 2005, is  
2 35 amended to read as follows:  
3 1 4. A free clinic providing free care under this section  
3 2 shall be considered a state agency solely for the purposes of  
3 3 this section and chapter 669 and shall be afforded protection  
3 4 under chapter 669 as a state agency for all claims arising  
3 5 from the provision of free care by a health care provider

3 6 registered under subsection 3 who is providing services at the  
3 7 free clinic in accordance with this section or from the  
3 8 provision of free care by a health care provider who is  
3 9 covered by adequate medical malpractice insurance as  
3 10 determined by the department, if the free clinic has  
3 11 registered with the department pursuant to subsection 1.  
3 12 Sec. 5. Section 135.24, subsections 5 and 6, Code 2005,  
3 13 are amended to read as follows:

3 14 5. ~~For the purposes of this section, "charitable~~  
3 15 ~~organization" means a charitable organization within the~~  
3 16 ~~meaning of section 501(c)(3) of the Internal Revenue Code~~  
3 17 ~~which has as its primary purpose the sponsorship or support of~~  
3 18 ~~programs designed to improve the quality, awareness, and~~  
3 19 ~~availability of chiropractic, dental, or medical services to~~  
3 20 ~~children and to serve as a funding mechanism for provision of~~  
3 21 ~~chiropractic, dental, or medical services, including but not~~  
3 22 ~~limited to immunizations, to children in this state.~~

3 23 6. ~~5.~~ For the purposes of this section:  
3 24 a. "Charitable organization" means a charitable  
3 25 organization within the meaning of section 501(c)(3) of the  
3 26 Internal Revenue Code which has as its primary purpose the  
3 27 sponsorship or support of programs designed to improve the  
3 28 quality, awareness, and availability of chiropractic, dental,  
3 29 medical, pharmaceutical, nursing, optometric, psychological,  
3 30 social work, behavioral science, podiatric, physical therapy,  
3 31 occupational therapy, respiratory therapy, or emergency  
3 32 medical care services to children and to serve as a funding  
3 33 mechanism for provision of chiropractic, dental, medical,  
3 34 pharmaceutical, nursing, optometric, psychological, social  
3 35 work, behavioral science, podiatric, physical therapy,  
4 1 occupational therapy, respiratory therapy, or emergency  
4 2 medical care services, including but not limited to  
4 3 immunizations, to children in this state.

4 4 ~~a.~~ b. "Free clinic" means a facility, other than a  
4 5 hospital or health care provider's office which is exempt from  
4 6 taxation under section 501(c)(3) of the Internal Revenue Code  
4 7 and which has as its sole purpose the provision of health care  
4 8 services without charge to individuals who are otherwise  
4 9 unable to pay for the services.

4 10 ~~b.~~ c. "Health care provider" means a physician licensed  
4 11 under chapter 148, 150, or 150A, or a chiropractor licensed  
4 12 under chapter 151, a physical therapist licensed pursuant to  
4 13 chapter 148A, an occupational therapist licensed pursuant to  
4 14 chapter 148B, a podiatrist licensed pursuant to chapter 149, a  
4 15 physician assistant licensed and practicing under a  
4 16 supervising physician pursuant to chapter 148C, a licensed  
4 17 practical nurse, a registered nurse, or an advanced registered  
4 18 nurse practitioner licensed pursuant to chapter 152 or 152E, a  
4 19 respiratory therapist licensed pursuant to chapter 152B, a  
4 20 dentist, dental hygienist, or dental assistant registered or  
4 21 licensed to practice under chapter 153, an optometrist  
4 22 licensed pursuant to chapter 154, a psychologist licensed  
4 23 pursuant to chapter 154B, a social worker licensed pursuant to  
4 24 chapter 154C, a mental health counselor or a marital and  
4 25 family therapist licensed pursuant to chapter 154D, or a  
4 26 pharmacist licensed pursuant to chapter 155A, or an emergency  
4 27 medical care provider certified pursuant to chapter 147A.

4 28 Sec. 6. EFFECTIVE DATE. This Act, being deemed of  
4 29 immediate importance, takes effect upon enactment.  
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4 33 \_\_\_\_\_  
4 34 CHRISTOPHER C. RANTS  
4 35 Speaker of the House

5 1 \_\_\_\_\_  
5 2 JOHN P. KIBBIE  
5 3 President of the Senate  
5 4  
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5 6 I hereby certify that this bill originated in the House and  
5 7 is known as House File 620, Eighty-first General Assembly.  
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5 10 \_\_\_\_\_  
5 11 MARGARET THOMSON  
5 12 Chief Clerk of the House  
5 13

5 13 Approved \_\_\_\_\_, 2005  
5 14  
5 15  
5 16 \_\_\_\_\_

5 17 THOMAS J. VILSACK  
5 18 Governor